

TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amendment)

301 KAR 4:010. Districts.

RELATES TO: KRS 150.010, 150.022(1), 150.025

STATUTORY AUTHORITY: KRS 150.025

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025 authorizes the department to regulate fish and wildlife resources. This administrative regulation designates the counties within each wildlife district. It is necessary to place each county in one (1) of the nine (9) wildlife districts specified in KRS 150.022.

Section 1. Wildlife Districts. (1) For the purposes of representation on the Fish and Wildlife Resources Commission, each county in Kentucky is assigned to a wildlife district [as] indicated below:

(a) District I - Fulton, Hickman, Carlisle, Ballard, McCracken, Graves, Calloway, Marshall, Livingston, Lyon, Trigg, Caldwell, Crittenden, Christian.

(b) District II - Union, Webster, Hopkins, Muhlenberg, Todd, Henderson, McLean, Logan, Simpson, Allen, Warren, Butler, Ohio, Daviess, Hancock.

(c) District III - Meade, Bullitt, Jefferson, Spencer, Oldham, Breckinridge, Shelby.

(d) District IV - Hardin, Grayson, Nelson, Washington, Marion, Larue, Taylor, Adair, Cumberland, Monroe, Barren, Green, Hart, Edmonson, Metcalfe.

(e) District V - Carroll, Owen, Grant, Harrison, Robertson, Bracken, Pendleton, Gallatin, Boone, Kenton, Campbell, Trimble, Henry.

(f) District VI - Franklin, Scott, Anderson, Woodford, Fayette, Mercer, Jessamine, Boyle, Casey, Lincoln, Garrard, Rockcastle, Lee, Estill, Powell, Clark, Madison.

(g) District VII - Lawrence, Magoffin, Johnson, Martin, Pike, Floyd, Breathitt, Knott, Perry, Letcher, Leslie, Harlan, Owsley.

(h) District VIII - Mason, Lewis, Greenup, Carter, Boyd, Morgan, Wolfe, Menifee, Montgomery, Bath, Rowan, Fleming, Nicholas, Bourbon, Elliott.

(i) District IX - Clinton, Russell, Wayne, Pulaski, McCreary, Whitley, Laurel, Clay, Knox, Bell, Jackson.

RICH STORM, Commissioner

MIKE E. BERRY, Secretary

APPROVED BY AGENCY: July 20, 2021

FILED WITH LRC: August 5, 2021 at 9:22 a.m.

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on October 26, 2021 at 3:00 p.m. at the Department of Fish and Wildlife Resources in the Commission Room of the Arnold L. Mitchell Building, #1 Sportsman's Lane, Frankfort, Kentucky. Individuals interested in attending this hearing shall notify this agency in writing by five business days prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to attend the public hearing, you may submit written comments on the proposed administrative regulation through October 31, 2021. Send written notification of intent to attend the public hearing or

written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Beth Frazee, Department of Fish and Wildlife Resources, Arnold L. Mitchell Building, #1 Sportsman's Lane, Frankfort, Kentucky 40601, phone (502) 564-3400, fax (502) 564-0506, email fwpubliccomments@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Beth Frazee

(1) Provide a brief summary of:

(a) What the administrative regulation does: Establishes the counties which are included in each of the nine (9) wildlife districts.

(b) The necessity of the administrative regulation: This regulation is necessary to establish which counties are a part of each of the nine (9) wildlife districts within the Commonwealth.

(c) How does this administrative regulation conform to the authorizing statute: KRS 150.022(1) requires the Fish and Wildlife Commission consist of nine (9) members, one (1) from each wildlife district. This regulation establishes the required wildlife districts.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation assists in the administration of KRS 150.022 by establishing the required commission districts for Fish and Wildlife Commission members.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change the existing administrative regulation: The amendment modifies the regulation to be consistent with the standard numbering conventions for regulations.

(b) The necessity of the amendment to this administrative regulation: The amendment is necessary to correct the numbering convention in the regulation to be consistent with the standard convention.

(c) How does the amendment conform to the authorizing statutes: The amendment does not alter the commission districts, which are established in accordance with KRS 150.022(1).

(d) How the amendment will assist in the effective administration of the statutes: The amendment will assist in increasing the readability of the regulation.

(3) List the type and number of individuals, businesses, organizations or state and local governments that will be affected: All sportsmen within the commonwealth.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including: The amendment of this regulation will not impact the sportsmen of the Commonwealth.

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The sportsmen will not need to perform any action to comply with this amendment.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There will be no cost to comply with this amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The amendment will benefit the sportsmen by increasing the readability of the regulation.

(5) Provide an estimate of how much it will cost to implement this administrative regulation:

(a) Initially: There will be no cost to implement the amendment to this administrative regulation.

(b) On a continuing basis: There will be no cost to implement the amendment to this admin-

istrative regulation.

(6) What is the source of funding to be used for implementation and enforcement of this administrative regulation: The Fish and Game Fund.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment. No increase in fees or funding will be necessary to implement the amendment to the regulation.

(8) State whether or not this administrative regulation establishes any fees directly or indirectly increases any fees. This amendment does not directly or indirectly increase any fees.

(9) TIERING: Is tiering applied? Tiering is not applied as all individuals are treated in the same manner.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Department of Fish and Wildlife Resources.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 150.0221 and 150.025.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. The amendment should have no effect on the expenditures or revenues for any entity.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This regulation will not generate revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This regulation will not generate revenue.

(c) How much will it cost to administer this program for the first year? There will be no additional cost to administer this amendment to the regulation.

(d) How much will it cost to administer this program for subsequent years? There will be no additional cost to administer this amendment to the regulation.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: